



1636
Docket No. 75723-ZA/JPW/GJG/CS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: David Baltimore et al.

Serial No.: 10/037,341 Examiner: D. Guzo

Filed : January 4, 2002 Group Art Unit: 1636

For : NUCLEAR FACTORS ASSOCIATED WITH TRANSCRIPTIONAL REGULATION

1185 Avenue of the Americas
New York, New York 10036
August 8, 2008

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with their duty of disclosure under 37 C.F.R. §1.56, Applicants direct the Examiner's attention to the following disclosures, which are also listed on the attached substitute Form PTO-1449 (**Exhibit A**).

Applicants note that items 1-5 listed herein were previously cited in an Office Action issued July 6, 2007, in connection with the copending merged proceeding of *Ex Parte Reexamination Control Nos. 90/007,503 and 90/007,828*. For the Examiner's convenience, copies of items 1-5 are attached hereto as **Exhibits 1-5**.

The Examiner is respectfully requested to make the items of record in the subject application by initialing and dating the attached substitute Form PTO-1449, and returning a copy of the initialed and dated form to Applicants' undersigned attorneys.

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1. Ariad Pharmaceuticals v. Dudas, Civil Action No. 1:06cv679 (U.S. Dist. Ct.: Eastern District of Va: Alexandria): Memorandum of Points and Authorities In Support of Motion To Dismiss Or In the Alternative For Summary Judgment and Opposition to Plaintiff's Motion For Summary Judgment, pp1-30; (**Exhibit 1**)
2. Harant et al., (1997) "1alpha,25-dihydroxyvitamin D3 and a variety of its natural metabolites transcriptionally repress nuclear-factor-kappaB-mediated interleukin-8 gene expression," Eur. J. Biochem., 250:63-71; (**Exhibit 2**)
3. Kunin et al., (2002) "Reach-Through Claims in the Age of Biotechnology," Am. U.L. Rev., 51:609-638; (**Exhibit 3**)
4. Meyer et al., (1997) "Cyclosporine A is an uncompetitive inhibitor of proteasome activity and prevents NF-kappaB activation," FEBS Lett., 413:354-358; (**Exhibit 4**) and
5. Yamamoto et al., (2005) "Systemic and local cytokine production in quiescent ulcerative colitis and its relationship to future relapse: a prospective pilot study," Inflamm. Bowel Dis., 11:589-596. (**Exhibit 5**)

If a telephone interview would be of assistance in advancing prosecution of the subject application, Applicants' undersigned attorneys invite the Examiner to telephone them at the number provided below.

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No fee is deemed necessary in connection with filing this Supplemental Information Disclosure Statement. However, if any other fee is required, authorization is hereby given to charge the additional amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

Gary J. Gershik

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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:

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